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May 16, 2025

Via ECF AND EMAIL

Honorable Katherine Polk Fialla, U.S.D.J.
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: Marcel Albert v. DistroKid LLC
Case No: 25-cv-1705 (KPF)

Dear Judge Fialla:

We represent Plaintiff in the above referenced matter, pursuant to Rule 9 of the Court's Individual Practices, we are writing to request leave to file the amended complaint under seal and to simultaneously file a redacted copy on ECF. As the filing is due today, we are simultaneously filing a redacted copy and an unredacted copy under seal (which is also being emailed to Defendants' attorneys), and we request that the Court determine whether the sealed copy should be made publicly available or remain sealed.

The reason for the above request is that to fully allege the wrongful acts to support Plaintiff's claims of tortious interference, Plaintiff is including the code which we assert is malicious, as well as the exact manner that Plaintiff believes that Amazon achieved the shadowban. Plaintiff believes that this code has the potential to be misused by other parties to cause harm, therefore we believe that said information should not be made publicly available.

We thank the Court for its consideration.

Very truly yours,

Michael H. Joseph, Esq.

C: Defense Attorneys, via ECF And Email

Application GRANTED. The Clerk of Court is directed to maintain docket entry 27 under seal, viewable to the Court and the parties only.

The Clerk of Court is further directed to terminate the pending motion at docket entry 26.

Dated: May 19, 2025
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE